

10 January 1980

MEMORANDUM FOR: General Counsel

FROM: Harry E. Fitzwater
Director of Personnel Policy, Planning
and Management

SUBJECT: Clarification of SIS Sabbatical Service
Requirements

REFERENCE: Memorandum from GC to DDCI dated 28 Sept
1979; Subject: Statutory Authority for
Proposed SIS System (OGC 79-00857)

1. Attached is a proposal for administering the sabbatical program for Senior Intelligence Service (SIS) members which has been returned to us by the DDCI with comments. The DDCI has requested that your Office review the following provision in Paragraph 4 of the proposal:

In the event the employee fails to remain in the service for two years he or she shall be liable-- except for good and sufficient reasons as determined by the DCI/DDCI--to the United States Government for payment of all sabbatical expenses including salary.

The DDCI has questioned whether it is legal or desirable to insist on payback of both training costs and salaries. For your information, our wording is based on the Civil Service Reform Act (Title IV, Paragraph 5, Sabbaticals, pp. 150-151), with the addition of the phrase "except for good and sufficient reasons as determined by the DCI/DDCI." It is our understanding that this provision differs from the Government Employee Training Act authorities for other external training, which provide for payback of training costs but not salary.

2. The DDCI also is considering establishing five years of SIS (or equivalent Supergrade) service as a prerequisite for sabbatical consideration, versus the seven year period included in the CSRA for SES. As noted in his comments, the DDCI is basing this change on the generally

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earlier retirement age for CIA officers, especially those covered under CIARDS. We presume this change is clearly within the DCI's authority as reflected in referenced memorandum.

3. We would appreciate your early clarification of this matter.

/s/
Harry E. Fitzwater

Attachment

Distribution:

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